

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 IMHOTEP SALAT,

5 Plaintiff,

6 v.

7 TOM WILSON, et al.,

8 Defendants.
9

Case No. 2:16-cv-03018-APG-PAL

**ORDER ON REPORT AND
RECOMMENDATION**

(ECF. No. 3)

10 On September 26, 2017, Magistrate Judge Leen entered a report and recommendation that
11 I deny plaintiff Imhotep Salat's request to proceed in forma pauperis and that I dismiss his
12 complaint. ECF No. 3. Salat did not file an objection. Thus, I am not obligated to conduct a de
13 novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to
14 "make a de novo determination of those portions of the report or specified proposed findings to
15 which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)
16 (en banc) ("the district judge must review the magistrate judge's findings and recommendations
17 de novo *if objection is made*, but not otherwise" (emphasis in original)). I nevertheless conducted
18 a de novo review. 28 U.S.C. § 636(b)(1). Judge Leen sets forth the proper legal analysis and
19 factual basis for the decision.

20 IT IS THEREFORE ORDERED that Judge Leen's report and recommendation (**ECF No.**
21 **3) is accepted.** Plaintiff Imhotep Salat's application for leave to proceed in forma pauperis (**ECF**
22 **No.1) is DENIED.**

23 IT IS FURTHER ORDERED that the complaint is DISMISSED without prejudice to
24 Salat pursuing his claims in state court. The clerk of court is instructed to close this case.

25 DATED this 21st day of November, 2017.

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28 ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE